

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

JULIAN A. MILLER )  
 ) C.A. No. 04-1367  
 )  
 ) JURY OF 12 DEMANDED  
Plaintiff, )  
 )  
v. )  
 )  
STANLEY TAYLOR, ET. AL )  
 )  
Defendants, )

**DEFENDANT IHUOMA CHUKS' RESPONSE IN OPPOSITION TO PLAINTIFF  
JULIAN MILLER'S MOTION FOR LEAVE TO FILE A THIRD AMENDED  
COMPLAINT**

For the reasons stated in defendant Chuks' Motion to Dismiss, defendant Chuks opposes plaintiff's Motion for Leave to File a Third Amended Complaint.

**McCULLOUGH & McKENTY, P.A.**

/s/ Dana Spring Monzo  
Daniel L. McKenty Del. Bar # 2689  
Dana Spring Monzo Del. Bar # 4605  
1225 N. King Street, Suite 1100  
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Wilmington, DE 19899-0397  
(302) 655-6749  
Attorneys for defendant Ihuoma Chuks

Dated: September 19, 2006

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CERTIFICATE OF SERVICE

I, Dana Spring Monzo, do hereby certify that on this date a copy of *Defendant Ihuoma Chuks' Response in Opposition to Plaintiff Julian Miller's Motion for Leave to File a Third Amended Complaint* was served electronically upon the following individuals:

Sean P. Hayes, Esquire  
Fish & Richardson, P.C.  
919 North Market Street, Ste 1100  
P.O. Box 1114  
Wilmington, DE 19899-1114

Stephani J. Ballard  
Department of Justice  
820 N. French Street, 6th Floor  
Wilmington, DE 19801

**McCULLOUGH & MCKENTY, P.A.**  
/s/ Dana Spring Monzo  
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ORDER

And now this \_\_\_\_\_ day of \_\_\_\_\_, 2006, having considered  
*Plaintiff Julian Miller's Motion for Leave to File a Third Amended Complaint and Defendant  
Ihuoma Chuks' Response in Opposition to Plaintiff Julian Miller's Motion for Leave to File a Third  
Amended Complaint,*

it is HEREBY ORDERED that *Plaintiff Julian Miller's Motion for Leave to File a Third  
Amended Complaint* is DENIED.

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J.